

# Notice of Allowability

Application No.

10/603,732

Examiner

Ricky L Mack

Applicant(s)

OSHINO ET AL.

Art Unit

2873

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to election filed 7/19/04.
2. ☒ The allowed claim(s) is/are 19-26 and 37-41.
3. ☒ The drawings filed on 24 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

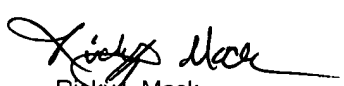
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 0903
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Ricky L Mack  
Primary Examiner  
Art Unit: 2873

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 1-18, 27-36 and 42-68 have been canceled.

#### ***Election/Restrictions***

2. Applicant's election without traverse of Group II claims 19-26 and 37-41 in the reply filed on 7/19/04 is acknowledged.
3. Claims 1-18, 27-36 and 42-68 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected specie, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 7/19/04.
4. This application is in condition for allowance except for the presence of claims 1-18, 27-36 and 42-68 to a specie non-elected without traverse. Accordingly, claims 19-26 and 37-41 have been cancelled.

#### ***Allowable Subject Matter***

5. The following is an examiner's statement of reasons for allowance: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be

proper. The prior art fails to teach a combination of all the claimed features as presented in claim(s) 19-26 and 37-41, wherein an optical mounting element comprises a first respective spring-loaded support member supporting an optical element relative to an optical column, the first spring-loaded support member being configured to provide rigid support of a respective mounting protrusion in a gravity direction while providing *flexible support of the respective mounting protrusion in directions tangential to the periphery at the respective location, in a radial direction of the optical element at the respective location, and in a tilt direction, relative to the axis*, of the optical element at the respective location; and each holding device also comprising at least a second respective spring-loaded support member supporting the respective mounting protrusion relative to the optical column, each second spring-loaded support member being configured to *provide rigid support of the respective mounting protrusion in directions tangential to the periphery at the respective location while providing flexible support of the respective mounting protrusion in the gravity direction and in the radial direction* at the respective location, as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

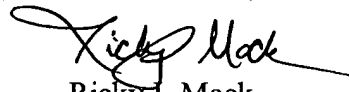
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are cited for disclosing a lens mount having peripheral

mounts, but these references do not disclose an optical mounting element comprising a first respective spring-loaded support member supporting an optical element relative to an optical column, the first spring-loaded support member being configured to provide rigid support of a respective mounting protrusion in a gravity direction while providing *flexible support of the respective mounting protrusion in directions tangential to the periphery at the respective location, in a radial direction of the optical element at the respective location, and in a tilt direction, relative to the axis*, of the optical element at the respective location; and each holding device also comprising at least a second respective spring-loaded support member supporting the respective mounting protrusion relative to the optical column, each second spring-loaded support member being configured to *provide rigid support of the respective mounting protrusion in directions tangential to the periphery at the respective location while providing flexible support of the respective mounting protrusion in the gravity direction and in the radial direction* at the respective location, as claimed: Trunz et al. (6392825), Spinali (6400516) and Oshino (20030162484).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky L Mack whose telephone number is (571) 272-2333. The examiner can normally be reached on Monday-Friday (6:30 AM to 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ricky L Mack  
Primary Examiner  
Art Unit 2873

RM  
September 29, 2004